

UNITED STATES OF AMERICA,)	No. CR 08-0574 MHP
)	[CR 08-70524 BZ pre-Indictment]
Plaintiff,)	
)	
v.)	[PROPOSED] ORDER
)	EXCLUDING TIME UNDER THE
ANGELICA SAGOTE, SEFO SAGOTE,)	SPEEDY TRIAL ACT AND
ELISARA TAITO, and DONNISHA)	EXTENDING TIME FOR
HARRELL,)	PRELIMINARY HEARING UNDER
)	FED. R. CRIM. P. 5.1(d)
Defendants.)	

With the consent of defendant DONNISHA HARRELL and a showing of good cause, the Court enters this Order documenting (i) the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, and (ii) the extension of time for preliminary hearing under Fed. R. Crim. P. 5.1, from *September 2, 2008, to September 19, 2008*. Defendant Donnisha Harrell appeared before United States Magistrate Judge Elizabeth Laporte on September 2, 2008. At that appearance, the parties agreed to an exclusion of time under the Speedy Trial Act and an extension of time for preliminary hearing until the next appearance, September 19, 2008, and the Court found as follows:

1. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). Specifically, the government proffered that it would be producing discovery that defense counsel would need to review in order to effectively prepare a defense.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from September 2 to September 19, 2008, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

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1 3. The Court also found, while taking into account the public interest in the
2 prompt disposition of criminal cases, that there was good cause to extend the period for
3 preliminary hearing to September 19, 2008. Specifically, the government proffered that
4 the parties were discussing a pre-indictment disposition of the charges and the
5 defendant's counsel was reviewing discovery produced by the government.

6 4. Accordingly, the Court orders the period from September 2, 2008, to September
7 19, 2008, excluded from Speedy Trial Act calculation under 18 U.S.C. §§ 3161(h)(8)(A)
8 & (B)(iv), and extends the time for preliminary hearing until September 19.

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10 Date: December 1, 2008

